



CITY OF West Linn

PLANNING COMMISSION

Draft Meeting Notes of September 16, 2020

Commissioners present: Gary Walvatne, Charles Mathews, Carrie Pellett, Lamont King, Joel Metlen, and Margot Kelly
Council Liaison present: William Relyea
Applicant Representatives: Sam Thomas, Scott Emmett, Andy Tweet, Roland Boschman, and Kim Wright
Public: none
Staff present: Darren Wyss, Acting Planning Manager, Jennifer Arnold, Associate Planner, Lynn Schroder, Administrative Assistant, and Matthew Kahl, City Attorney

1. **Call To Order (timestamp 00:00:03)**

Chair Walvatne call the meeting to order at 6:30 pm. Acting Planning Manager Wyss called the role.

2. **Public Comment Related To Land Use Items Not On The Agenda (timestamp 00:00:25)**

None.

3. **Approval of Meeting Notes: July 1, July 15, and August 19, 2020 (timestamp 00:00:42)**

Chair Walvatne requested several minor clarifications. Commissioner Kelly moved to approve the meeting notes of July 1, July 15, and August 19, 2020, as revised. Commissioner King seconded. **Ayes:**

Commissioners Pellett, Mathews, Metlen, King, Kelly, and Walvatne. Nays: None. Abstentions: None.

The motion passed 6-0-0.

4. **Public Hearing: DR-20-02, a request for approval of a Class II Design Review application to construct a new single-story commercial building in the OBC zone at 1575 Burns Street. (timestamp 00:05:24)**

Chair Walvatne called the public hearing to order for DR-20-02, a request for approval of a Class II Design Review application to construct a new single-story commercial building in the OBC zone at 1575 Burns Street.

City Attorney Kahl reviewed the legal matters related to quasi-judicial hearings and the criteria for consideration of DR-20-02. Chair Walvatne declared that he knows the Applicant and has been a patient of the physical therapy business. He also visited the site. He stated that he did not have any ex parte contacts regarding the proposal and did not have a conflict of interest. Commissioner King declared that he is a patient of the applicant but has not had any ex parte contacts or conflict of interest. Commissioner Metlen and Vice Chair Mathews stated that they recently visited the site. Vice Chair Mathews noted that there are "No Parking" on Hood Street and overhead power lines on Burns Street. No other declarations were made. There were no challenges to Commissioners' jurisdiction or impartiality on the application.

Planner Jennifer Arnold presented a staff report. The Applicant is requesting approval for a Class II Design Review to construct a new single-story commercial building in the OBC zone. The property is adjacent to an R-10 zone. The commercial building will house a dental and physical therapy clinic with no residential uses. The proposed development site is currently occupied with a single-family dwelling that will be removed. All trees are proposed to be removed due to the amount of grading required to develop the site. However, the Applicant is proposing to plant 20 trees onsite to provide shade. The Applicant proposes to treat

stormwater onsite and discharge it to an existing stormwater system. The City's Water Master Plan identifies the water line in Hood Street requires upsizing. Subject to available funding, the City may partner with the Applicant to upsize the water line in this area. The Applicant is proposing street improvements along Burns and Hood Streets. These improvements include street-widening, sidewalks, ADA accessible ramps, crosswalks, and street signage to meet the Engineering Standards for vehicle and pedestrian safety. The Applicant will also underground the existing overhead power lines.

Sam Thomas, Planning Consultant and Roland Boschman of Lenity Architecture presented on the Applicant's behalf. Dr. Kim Wright, Owner also presented and answered questions asked by the Planning Commission. Thomas stated that the lower driveway is not a service drive and requested that the condition of approval allow the proposed 23 feet width. Additionally, he stated that the bicycle parking requirement was calculated in error and requested a modification of the approval condition.

Commissioner Metlen asked how the Applicant was going to protect significant trees on the property line. The Applicant responded that the tree would be protected with construction fencing during construction.

Commissioners' primary concerns included parking, preserving trees, traffic safety, building façade materials, and landscaping/screening.

Walt Swan submitted written testimony expressing concern regarding the landscaping plan and building façade materials. There was no oral testimony at the hearing. Chair Walvatne closed the public hearing.

The Commission found the application met minimum off-street parking requirements. The Applicant requested Conditions of Approval 3 and 4 be removed as they found the design met the code requirements. The Commission agreed with the Applicant and found a total of 4 bicycle parking spaces were required by CDC 46.150.D (3). The Commission altered the staff recommended Condition of Approval 3 to require four bicycle spaces. The Commission also agreed with the Applicant that the access to the lower parking area was not a service drive and was not required to meet the 24-foot width per CDC 48.040.A(1). The Commission found the proposal met the requirement of 23-feet found in CDC 46.150(F) and altered the staff recommended Condition of Approval 4 to allow a curb cut width of 23-feet as proposed by the Applicant.

Commissioner Kelly moved to approve DR-20-02, a request for approval of a Class II Design Review application to construct a new single-story commercial building in the OBC zone at 1575 Burns Street with alterations to the staff's proposed conditions approval. Vice Chair Mathews seconded. **Ayes: Commissioners Pellett, Mathews, Metlen, King, Kelly, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

5. **Discussion: HB2001/HB2003 Rule-making and Comments to City Council (timestamp 01:27:16)**

Chair Walvatne reported that the City Council and Planning Commission had a joint meeting to receive a presentation from the Department of Land Conservation and Development on the rule-making for HB2001/2003.

Acting Planning Manager Wyss stated that the City Council asked the Planning Commission to provide comments on HB2001/2003 rule-making. Wyss will send information to Commissioners to respond to by the deadline. Wyss will pass comments the Commissioner comments on to the City Council.

6. Items Of Interest From The Planning Commission (timestamp 02:08:49)

Chair Walvatne announced that the subcommittee on major/minor utilities had one conference call. Additional subcommittee meetings will be scheduled.

7. Items Of Interest From Staff (timestamp 02:09:29)

Acting Planning Manager Wyss provided the following updates:

- The City Council adopted the 28-foot street width standard. The new statute will be codified within 30 days of mayor's signature.
- The PC approval for the Upper Midhill extension was appealed to the City Council and will be considered on October 5.
- A joint meeting with City Council and Planning Commission to discuss the docket is tentatively scheduled for October 19.
- The October 7 meeting will be a quasi-judicial meeting for a proposed subdivision.
- The October 21 meeting is tentatively scheduled as a quasi-judicial hearing for a zone change.
- In November, the PC will begin work sessions on the Water Front Master Plan.

8. Adjourn (timestamp 02:15:40)

Chair Walvatne adjourned the meeting at approximately 8:45 pm.